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Application No.: 10/690,817

Docket No.: 2038-303

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshitaka MISHIMA et al. : Confirmation No.5433

U.S. Patent Application No. 10/690,817 : Group Art Unit: 3761

Filed: October 23, 2003 : Examiner: CATHARINE L ANDERSON

For: DISPOSABLE WEARING ARTICLE

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

By Official Action mailed June 14, 2006 restriction to one of the following inventions is required under 35 USC 121:

Species I, drawn to a discharge containing portion being formed from elastically stretchable material; or

Species II, drawn to a discharge containing portion being formed from inelastic material and having gathers.

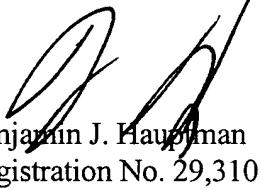
In response, Applicants hereby elect **Species I** for examination in this case.

Early examination on the merits is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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